

Our Purpose

To examine Arizona Special Education State Board 401 rules, to propose rules that are clear, instructive, and aligned to the IDEA, and to provide guidance for implementation.

Core Team

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Advocate & SEAP Member

Angela Denning
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Treasurer, AZCEC

Kimberly Peaslee,
Parent & Chairperson of CAC & SEAP
Member

Heidi Sinkovic
Director of ESS, The Leona Group
Chris Tiffany, Raising Special Kids &
SEAP Member

Our Group Norms

- We engage in active listening
- We seek to understand
- We strive for a collective impact
- We honor the communication plan
- We support working for the greater good
- Our communication is timely and accurate
- We use rubrics to evaluate our work
- We need to learn and “unlearn”
- Reflection is critical to our success

Consensus--A two tiered approach:

The Core Team will work toward unanimous consensus on every issue. If not an unanimous consensus the group will use a supermajority vote (11/13).

Rule Committee – Core Team

March 7, 2014 Communiqué

Today’s Reflection.

Our reflective thought for today’s work was the acronym WYSIATI and being mindful of Alvin Toffler’s quote:

You’ve got to think about big things while you’re doing small things, so that all the small things go in the right direction.

What we did.

- The Core Committee met at Washington Elementary School District and was supported by ADE staff and JinJu Park, Assistant Attorney General. One member sent regrets.
- Angela Denning, Deputy Associate Superintendent, provided a brief update on the rule-making progress and the importance of taking our time. We also reviewed our decision-making flowchart (attached).
- We started with a brief warm-up activity on reflective thinking and decision-making based on the insights of Daniel Kahneman from his bestseller “Thinking, Fast and Slow” and Shane Frederick, the creator of the Cognitive Reflection Test. [Google to learn more.]

“What You See Is All There Is” is a decision-making concept coined by Kahneman to explain that we are greatly influenced by our experiences. The stories we tell ourselves are generally based on whatever information we can see and hear around us in making decisions. We ignore the possibility that any other information outside of our immediate or past experiences exists or is relevant. As such, we are prone to make quick judgments based on faulty biases. His book is a must-read in understanding how we make both personal and professional decisions.

- We reviewed the highlights of the February 24 web conference (that involved seven core team members, Angela Denning, and Michael Hersher, Attorney at Law in Sacramento, California) in reviewing his IDEA regulation/Arizona Rules crosswalk.
- We conducted a tabletop review and whole group discussion of the administrative rules from the nine states and Guam, comprising the 9th Circuit Court region, and explored other accountability mechanisms from across the country.

The Early Childhood Technical Assistance Center has collected the links to each state (U.S. territories excluded) special education regulations, statutes, procedures and guidance materials which can be found at: <http://ectacenter.org/sec619/stateregs.asp>. Check it out... one stop shopping at its best!

- We discussed whether we approached our task from a “more is better” or “less is better” perspective. We started to gather ideas about the future structure and content of Arizona Administrative Rules by identifying key concepts to guide our analysis.

Notes:

**Rule Making Core Committee
March 7, 2014 Communiqué**

- We discussed and determined key components of our communication plan on how and what we loop out to all stakeholders.

Transparency and access to all of our work product and resource materials is paramount to achieving our goal.

- We requested clarification from the AG's office on ADE's administrative authority to create substantive policies/procedures outside of the rule-making process within a defined collaborative process.
- We requested clarification from the AG's office on the meaning of "boundaries of responsibility" used throughout A.A.C. in context to virtual online charter schools.
- We established the agenda for our next meeting on March 17, hosted by The Leona Group.
- We conducted a brief "check-out" on what worked and what needed improvement.

Have coffee available is necessary to the well-being of the group!
We need to chart ("park") unresolved topics for future review.

What we learned.

- We learned that our success is dependent upon "slow thinking" which requires the practice of effort, patience, and reflective thinking on our part.
- We learned that administrative rules are meant to clarify laws or federal regulations; they are not intended to be duplicative.
- We learned that the accountability mechanism for implementing IDEA regulations vary by state (within the 9th Circuit Court region) and Guam in their scope. Practices range from highly prescriptive administrative rules that either partially or completely duplicate IDEA regulations (Washington and California) to procedural/policy manuals without "administrative regulations" (Guam and Idaho). Much of the group favored the approach of clarifying IDEA regulations unique to Arizona using a manual. [Reference was made to Philip Howard's book "The Death of Common Sense: How Law is Suffocating America."]
- We learned that sections of A.A.C. related to special education are redundant to IDEA, Part B.

What we accomplished.

- We maintained a very high spirit of collaborative effort throughout the day. It was a productive day.

Notes:

**Rule Making Core Committee
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- We identified a few key principles in guiding our work. These principles will continue to evolve and be refined as we move forward.

We agreed to a “less is better” approach in revising A.A.C. with a focus on clarity rather than a focus on length. We agreed not to duplicate IDEA regulations.

We want to explore an accountability system that can respond quickly to legislative changes and not necessarily be dependent on the rule-making process.

- We agreed to use Hersher’s crosswalk to initially track our modifications/edits.
- We embraced Michael Hersher’s advice not to get bogged down on definitional terms during the initial stages of our work.
- We reached tentative consensus (tentative means pending final review of the entire proposed revisions) to redline the entire (remove) section C (Public Awareness) from A.A.C.
- We reached tentative consensus to redline definitional terms in section B that are duplicative in IDEA regulations and/or State statute.

Next Steps:

March 17, 2014 Agenda

- Review Purpose/Mission Statement
- Feedback from AG’s Office
- Q & A with Becky Raabe, Arizona Child Find Coordinator
- Review Communication Plan/Shared Access Point/In Box through ADE for feedback
- Review the difference among statute, rule, policy, manual, guidance, TA Doc
- Continue Review of Rules
- Action Steps

We Want to Hear from You!

Please send your comments to AZBoardRuleCommitteeInBox@azed.gov. We look forward to hearing from the community at large, Key Advisors and Extended Partners on our work to date and future agenda items. These documents along with key documents are posted on the Director’s Corner at:

<http://www.azed.gov/special-education/category/directors-corner/>.

ADE is in the process of creating Google.Docs for future online collaboration with stakeholders.